Biſhop *Sanderſon's*

JUDGMENT

Concerning

SUBMISSION

TO

Uſurpers.

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USURPERS.

SIR,

WHEREAS you deſire to know what my judgment and practice is concerning the uſing or forbearing the eſtabliſh'd Liturgy (either in whole,

or in part) in the publick Service of God, and Office of the Church: If it be any ſatisfaction to your Friend, I ſhall fully acquaint you what my practice is (whereunto if my own Judgment be not conform, I am, without all excuſe, my own condemner) and upon what conſiderations I have, according to the variation of the times, varied from my ſelf therein.

So long as my Congregation continued unmixt with Souldiers, as well after as before the Promulgation of the Ordinance of the two Houſes for the aboliſhing of the Common Prayer, I continued the uſe of it, as I had ever formerly done in the moſt peaceable and orderly times, not omitting thoſe very Prayers, the ſilencing whereof I could not but know to have been chiefly aim'd at in the Ordinance (*viz.*) three for the King and Queen and Biſhops; and ſo I did alſo though ſome Souldiers were caſually preſent, till ſuch time as a whole Troop coming to Quarter

ter in the Town (with a purpoſe to continue a kind of Gariſon or Head-quarter among us) were ſo enrag'd at my reading of it the firſt Sunday after they came, that immediately after Morning Service ended, they ſeiz'd upon the Book, and tore it all in pieces. Thenceforward during their continuance there for full ſix months and upwards (*viz.*) from the beginning of *November* till they were call'd away to *Naſeby* Fight in *May* following, beſides that for want of a Book of neceſſity I muſt, I ſaw that it alſo behoov'd me, for the preventing of farther Outrages, to wave the uſe of the Book for the time, at leaſt in the Ordinary Service; only I read the Confeſſion, the Lord's Prayer, all the Verſicles, and the Pſalms for the day. Then after the firſt Leſſon in the Forenoon *Benedictus* or *Jubilate*; and in the Afternoons *Cantate*. After the ſecond Leſſon alſo, ſometimes the Creed, ſometimes the Ten Commandements, and ſometimes

neither, but only ſang a Pſalm, and ſo to Sermon. But in all that while, in the Adminiſtration of the Sacraments, the Solemnization of Matrimony, Burial of Dead, and Churching of Women, I conſtantly uſed the ancient Forms and Rites to every of them reſpectively belonging, according to the appointment in the Book; only I was careful in all the reſt to make choice of ſuch times and opportunities as I might do them with moſt ſecreſie, and without diſturbance of the Souldier. But at the Celebration of the Euchariſt I was the more ſecure to do it publickly, becauſe I was aſſur'd none of the Souldiers would be preſent.

After their departure I took the liberty to uſe either the whole Liturgy, or but ſome part of it, omitting ſometimes more, ſometimes leſs upon occaſion, as I judg'd it moſt expedient in reference to the Auditory, eſpecially if any Souldiers, or other unknown perſons hapned to be pre-

preſent. But all this while the ſubſtance of what I omitted I contriv'd into my Prayer before Sermon, the phraſe and order only varied, which yet I endeavour'd to temper in ſuch ſort, that any perſon of ordinary capacity might eaſily perceivve what my meaning was, and yet the words left as little liable to exception or cavil as might be.

About two years ago I was advertis'd (but in a friendly manner) by a Parliament man of note in theſe parts, that at a publick Meeting at *Grantham*, great complaint was made by ſome Miniſters of the Presbyterian Gang, as I afterwards found, of my refractorineſs to obey the Parliaments Order in that behalf. The Gentleman told me withal, *That although they knew what my judgment and practice was, yet they were not forward to take notice of it before complaint made, which being now done in ſo publick a manner, if they ſhould not take notice of it, the blame would lie upon them.* He therefore

adviſed me to conſider well what I had to do, for I muſt reſolve either to adventure the loſs of my Living, or to lay aſide Common Prayer; which if I ſhould continue after complaint and admonition, it would not be in his power, nor in the power of any Friend I had to preſerve me. The effect of my then Anſwer was, *That if the caſe were ſo, the deliberation was not hard: I having long ago conſidered of the caſe, and reſolved what I might do with a good Conſcience, and what was fitteſt for me in prudence to do, if I ſhould ever be put to it* (viz.) *to forbear the uſe of the Common Prayer Book ſo far as might ſatisfie the letter of the Ordinance, rather than forſake my Station.*

My next buſineſs then was to bethink my ſelf of ſuch a courſe to be thenceforth held in the publick work in my own Pariſh, as might be believed neither to bring danger to my ſelf by the uſe, nor to give ſcandal to my Brethren by the diſuſe of the

eſtabliſh'd

eſtabliſh'd Liturgy. And the courſe was this, to which I have held me ever ſince.

I begin the Service with a Preface, and an Exhortation infer'd to make Confeſſion of Sins; which Exhortation I have fram'd out of the Exhortation and Abſolution in the Book, contracted and put together, and expreſt for the moſt part in the ſame words and phraſes, but purpoſely here and there tranſplac'd, that it might appear not to be, and yet to be the very ſame.

Then follows the Confeſſion it ſelf in the ſame Order; it was enlarg'd only with the addition of ſome words, whereby it is rather explain'd than alter'd. The whole frame whereof, both for the fuller ſatisfaction in that particular, and that you may conjecture what manner of addition and change I have made proportionably hereunto (yet none ſo large) in other parts of the holy Office, I have here underwritten.

O Almighty God and merciful Father, we thy unworthy Servants do with ſhame and ſorrow confeſs, that we have all our life long gone aſtray out of thy ways like loſt ſheep; and that by following too much the vain devices and deſires of our own hearts, we have grievouſly offended againſt thy holy laws both in thought, word, and deed. We have many times left undone thoſe good duties which we might and ought to have done, and we have many times done thoſe evils, when we might have avoided them, which we ought not to have done. We confeſs, O Lord, that there is no health at all, nor help in any Creature to relieve us; but all our hope is in thy mercy, whoſe juſtice we have by our ſins ſo far provoked. Have mercy upon us therefore, O Lord, have mercy upon us miſerable Offenders: Spare us good Lord who confeſs our faults, that we periſh not, but according to thy gracious promiſes declared unto mankind in Chriſt Jeſu our

our Lord, reſtore us upon our true Repentance into thy grace and favour. And grant, O moſt merciful Father, for his ſake, that we henceforth ſtudy to ſerve and pleaſe thee by leading a godly, righteous, and ſober life, to the glory of thy holy Name, and the eternal comfort of our own Souls, through Jeſus Chriſt our Lord. Amen.

After the Confeſſion the Lord's Prayer with the Verſicles, and *Gloria Patri*, and then Pſalms for the Day, and the firſt Leſſon: After which in the Forenoon, ſometimes *Te Deum*, (but then only when I think the Auditory will bear it) and ſometimes an Hymn of mine own, gathered out of the Pſalms and Church Collects, as a general Form of Thankſgiving (which I did the rather, becauſe I have noted the want of ſuch a Form as the only thing wherein the Liturgy ſeem'd to be defective). And in the Afternoon, after the firſt Leſſon the 98*th.* Pſalm, or the 67*th.* then the

ſecond

ſecond Leſſon, with *Benedictus* or *Jubilate*; after it in the Forenoon and Afternoon a ſinging Pſalm. Then followeth the Creed, with *Dominus Vobiſcum*; and ſometimes the Verſicles in the end of our Letany [*From our Enemies defend us*] if I lik'd my Auditory, otherwiſe I omit the Verſicles. After the Creed, and inſtead of the Letany and the other Prayers appointed in the Book, I have taken the ſubſtance of the Prayer I was wont to make before Sermon, and diſpos'd it into ſeveral Collects or Prayers, ſome longer and ſome ſhorter, but new modell'd into the language of the Common Prayer Book much more than it was before. And in the Pulpit, before Sermon I uſe only a ſhort Prayer in reference to the hearing of the Word, and no more. So that upon the matter, in theſe Prayers I do but the ſame thing I did before, ſave only that what before I ſpake without Book, and in a continued Form in the Pulpit, I now read out of a written Book broken

broken into parcels, and in the reading Desk or Pue. Between which Prayers and the ſinging Pſalms before the Sermon, I do alſo daily uſe one other Collect, of which ſort I have for the purpoſe compos'd ſundry, made up alſo (as the former) for the moſt part out of the Church Collects, with ſome little enlargement or variation; as namely, the Collects Adventual, Quadrageſimal, Paſchal, or Pentecoſtal, for their proper ſeaſons; and at other times Collects of a more general nature, as for Pardon, Repentance, Grace, &c. And after one or more of them in the Forenoon, I uſually repeat the Ten Commandements, with a ſhort Collect after them for Grace to enable us to keep them.

This hath been my practice, and is like ſtill to be, unleſs ſome happy Change of Affairs reſtore us the liberty of uſing the old way again, or it be made appear to my Underſtanding by ſome able charitable Friend, That I therein have done other-

otherwiſe then I ought to have done: For I may ſay, that I have not yet met with any thing in Diſcourſe, either with my own Reaſon or others, of ſufficient ſtrength to convince me that I have done any thing, but what may ſtand with the Principles as well of Chriſtian Simplicity as Prudence.

There are but three things, that I know of, that are of any conſideration oppos'd, *viz.*

1. The Obligation of the Laws.
2. The Scandal of the Example.
3. The unſeemly ſymbolizing at leaſt with Schiſmaticks, if not partaking with them in the Schiſm.

1. Law. Object. 1. The firſt and ſtrongeſt Objection (which I ſhall therefore propoſe to the moſt advantage of the Objector) is that which is grounded upon the Laws, and their Obligation: For it may be Objected, *That every humane Law rightly*

rightly eſtabliſh'd, ſo long as it continueth a Law, obligeth the Subject (and that for Conſcience ſake) to the obſervation thereof in ſuch manner and form as in the ſame Law is preſcribed, and according to the true meaning and intention of the Law-giver therein. That a Law is then underſtood to be rightly eſtabliſh'd, when it containeth nothing but what is honeſt and lawful, and is enacted by ſuch perſon or perſons as have full and ſufficient authority to make Laws. That a Law ſo eſtabliſh'd continues a Law, and is ſo in force, till it be either Repealed by as good and lawful Authority, as that by which it was made, or elſe antiquated by a long continued uninforc'd diſuſe with the tacit or preſumed conſent of the Law-giver. That the Act printed before the Common Prayer Book, and entituled (An Act for the Uniformity) *was ſuch a Law, being it was eſtabliſhed in a full and free Parliament in peaceable times, and ratified*

tified by the Royal Aſſent, That it ſtill continues in force, and being not yet Repealed, but by ſuch perſons as (at leaſt in the Opinion of thoſe that maintain the Diſpute) for want of the Royal Aſſent, have not a ſufficient right or authority to do ſuch an Act, nor diſuſed but of late times, and that by enforcement, and as is preſum'd, much againſt the mind of the Law-giver. That therefore it ſtill retains the power of obliging in part of Conſcience; that power being ſo eſſential and intrinſecal to every Law, quatenus a Law, that it can in no wiſe be ſever'd from it.

And that therefore no Miniſter publickly officiating in the Church, can with a good Conſcience either omit any part of that which is commanded by the aforeſaid Law, or uſe any other Form than what is contained in the foreſaid Book, but muſt either uſe the Form preſcribed in the Book, or elſe forbear to officiate.

The

The Anſwer to this Objection (granting all in the Premiſſes beſides) dependeth upon the right underſtanding of that which is affirmed concering the Obligation of the Laws according to the intention of the Law-giver; which if it ſhould be underſtood preciſely of that particular, actual, and immediate intention which the Law-giver had declared by the words of the Law (in which ſenſe only the Objection proceedeth) will not hold true in all caſes. But there is ſuppos'd beſides that, in Law-giver, a more general, habitual, & ultimate intention of a more excellent and tranſcendent nature than the former, which is to have an influence into, and over-ruling power over all particular Laws (*viz.*) an intention by the Laws to procure and promote the publick good. The former intention binds, when it is ſubſervient to the latter, or conſiſtent with it, and conſequently bindeth in ordinary caſes, and in orderly times, or elſe Anſw.

the Law is not a wholeſome Law. But when the obſervation of the Law, by reaſon of the conjuncture of circumſtances, or the iniquity of the times (contingencies which no Lawgiver could either certainly foreſee, or if foreſeen, ſufficiently provide againſt) would rather be prejudicial than advantageous to the Publick; or is manifeſtly attended with ſuch inconveniencies and ſad conſequents to the Obſervers, as all the imaginable good that can redound to the Publick thereby, cannot in any reaſonable meaſure countervail: In ſuch caſe the Law obligeth not, but according to the latter and more general intention only; even as in the operations of nature, particular Agents do ordinarily move according to their proper and particular inclinations; yet upon ſome occaſions, and to ſerve the ends and intentions of univerſal nature (for the avoiding of ſome things which nature abhors) they are ſometimes carried with motions quite contrary to their

their particular natures; as the Air to deſcend, and the Water to aſcend for the avoiding of vacuity, &c. The common received Maxim (which hath been ſufficiently miſapplied, and that ſometimes to very ill purpoſes ſince the beginning of theſe unhappy diviſions) in the true meaning of it looketh this way, *Salus populi ſuprema Lex:* the equity of which Maxim, as it leaveth in the Law-giver a power of diſpenſing with the Law (which is a ſuſpending the Obligation thereof for the time in reſpect of the proper and particular intention) ſo he ſhall ſee it expedient in order to the publick good; ſo it leaveth in the Subject a liberty upon juſt occaſions (as in caſes of great exigency, and for the preventing of ſuch hazards and inconveniencies as might prove of noyſome conſequence to the Publick) to do otherwiſe than the Law requireth. And neither is the exerciſe of that power in the Lawgiver to be thought an unreaſonable Prerogative,

tive, nor the uſe of this liberty in the Subject an unreaſonable preſumption; inaſmuch as the power of diſpenſing with particular Laws is ſuch a Prerogative, as without which no Commonwealth can be well govern'd, but Juſtice would be turn'd into Gall and Wormwood: Nor can the Supream Governour, without forfeiture of that faithfulneſs which he oweth to the Publick Weal, deveſt himſelf thereof.

And he that preſumeth of the Law-givers conſent to diſpenſe with him for the Obſervation of the Law in ſuch needful caſes (where he hath not the opportunity to conſult his pleaſure therein) preſumeth no more than he hath reaſon to do. For it may well be preſum'd that the Law-giver, who is bound in all his Laws to intend the ſafety of the Publick, and of every member thereof in his due proportion, hath no intention by the ſtrict obſervation of any particular Law, to oblige any perſon, who is a Member of the Publick, to his

his deſtruction or ruin, when the common good is not anſwerably promoted thereby: Upon which ground it is generally reſolv'd by Caſuiſts, That no Conſtitution (meerly humane) can lay ſuch Obligation upon the Conſcience of the Subject, but that we may (according to the exigency of circumſtances) do otherwiſe than the Conſtitution requireth, provided it be done *extra caſum ſcandali & contemptûs, i. e.* without either bewraying in himſelf any contempt of the Authority of the Law-giver by his carriage, or giving any juſt occaſion of ſcandal to others by his example in ſo doing.

I have been ſomewhat the longer in explaining this point, not only for the better clearing of the preſent doubt, but alſo in reſpect of the uſefulneſs of this conſideration for the preventing and removing of many ſcruples that may happen to conſcientious men in ſuch times as theſe, wherein ſo many things are (and are like to be) commanded and forbid-

den contrary to the eſtabliſh'd Laws, and thoſe (as they are perſwaded) yet ſtanding in force. The beſt rule that I know to guide men in their deliberations and actions in ſuch emergent caſes (according to what hath been already delivered) is adviſedly and impartially to weigh the benefit & inconveniencies, as well on the one ſide, as on the other, as they ſtand in relation unto the Publick Good; and if after ſuch examination and compariſon made, it ſhall then evidently (or but in the judgment of probability) appear, that the Obſervation of the Law, according to the proper intention of the Law-giver therein, though with hazard of Eſtate, Liberty, or even life it ſelf, hath a greater tendency to the Publick Good, and the preſervation of Church or Commonwealth in ſafety, peace, and order, than the preventing of the foreſaid hazards, or other evil conſequents, by doing otherwiſe than the Law requireth, can have; or (which cometh to one)

one) if the violating of the Law ſhall then appear to be more prejudicial to the Publick Good, than the preſervation of the Subject's Eſtate, Liberty, or Life can be beneficial hereunto: In ſuch caſe the Subject is bound to hazard all he hath, and undergo whatſoever inconveniencies and calamities can enſue thereupon, rather than violate the Law with contempt of that Authority to which he oweth ſubjection.

But if it ſhall (after ſuch compariſon made) evidently (or but more probably than the contrary) appear, That that preſervation of ſuch a perſons Life, Liberty, Eſtate, would more benefit the Church or Commonwealth, than the punctual obſervation of the Law at that time, and with thoſe circumſtances, would do; it were an unſeaſonable, unreaſonable, and pernicious ſcrupuloſity for ſuch a perſon to think himſelf in ſuch a caſe obliged for the obſerving of the Law (perhaps but once or twice) with little or no benefit to the

Publick, to ruin himſelf, whereby to render himſelf unuſeful and unſerviceable to the Publick for ever hereafter.

To bring this Diſcourſe home, and to apply it to the buſineſs now under diſpute. Suppoſe we ten, twenty, or One hundred godly Miniſters, well affected to the eſtabliſh'd Liturgy, and actually poſſeſs'd of Benefices, with the Charge of Souls thereto belonging, ſhould, thinking themſelves in Conſcience obliged to the uſe of the whole Form of the Book, as is by the Act appointed, without any addition, omiſſion, or alteration whatſoever (notwithſtanding the preſent conjuncture of Affairs) reſolve to uſe the ſame accordingly, it would be well conſidered what the effects and conſequents thereof would be.

Beſides other evils, theſe three are viſible, which muſt all unavoidably follow one upon another, if any body ſhall be found (as doubtleſs within ſhort time there will be found one

or

or other) to inform and proſecute againſt them.

1. The utter undoing of ſo many worthy perſons, fit to do God and his Church good ſervice, together with all thoſe perſons that depend upon them for their livelyhood, by putting the fruits of their Benefices, wherewith they ſhould buy themſelves bread, under Sequeſtration.

2. The depriving of thoſe perſons of the opportunity of diſcharging the duties that belong unto them in their Miniſterial Calling, in not permitting them, after ſuch Sequeſtration, to teach or inſtruct the people belonging to their Charge, or to exerciſe any thing of their Function publickly in the Church.

3. The delivering over the Sheep of Chriſt, that lately were under the hands of the faithful Shepherds, into the Cuſtody of ravenous Wolves, when ſuch Guides ſhall be ſet over the ſeveral Congregations, as will be ſure to miſ-teach them one way

way or other (*viz.*) either by inſtilling into them Puritanical and Superſtitious Principles, that they may the more ſecurely exerciſe their Presbyterian Tyranny over their Judgments, Conſciences, Perſons, and Eſtates, or elſe by ſetting up new Lights before them, to lead them into a maze of Anabaptiſtical confuſion and frenzy.

Theſe conſequents are ſo heavy to the Sufferers, ſo certain to enſue upon the uſe of Common Prayer, and ſo much without the power of the Law-givers (in this ſtate of Affairs) either to prevent or remedy, that it is beyond the wit of man what benefit to the Publick can accrue by the ſtrict obſervation of the Act, that may in any proportion countervail theſe miſchiefs. In which caſe, that man muſt needs ſuppoſe a ſtrange auſterity in the Law-giver, that dares not preſume of his conſent to diſoblige him (for the time) from obſerving the ſame. It would be alſo well conſidered, Whether he that by

by his own over-nice ſcrupuloſity runs all theſe hazards, be not (in ſome meaſure) guilty of his own undoing, of deſerting his ſtation, and of betraying his flock, and do not thereby loſe much of that comfort which a Chriſtian Confeſſor may take in his ſufferings, when they are laid upon him by the Hand of God, and not pull'd upon himſelf by his own hands. And more I ſhall not need to ſay as to that firſt Objection.

The next thing objected is, Object. 2. Scandal. *The danger of the Scandal that others might be ready to take at the Example, who ſeeing the Law ſo little regarded by ſuch men (men that have Cure of Souls, and perhaps alſo of ſome eminency and eſteem in the Church, and whoſe Example will be much look'd upon) will be eaſily encourag'd by this Example to ſet light by all Authority, and to take the liberty to obey and diſobey the Laws of their Soveraign at their pleaſure.*

But

But this Objection, after we are once ſatisfied concerning the former, need not much trouble us. For,

1. It ſeemeth an unreaſonable thing in caſes of great Exigence (ſuch as we now ſuppoſe) that the fear of ſcandalizing our weak Brethren (which is but *Debitum charitatis* only) ſhould lay upon us a peremptory neceſſity of obſerving the Law punctually, whatſoever inconveniencies and miſchiefs may enſue thereupon: when the duty of Obedience to our known Governours (which is *Debitum juſtitiæ* alſo, and therefore more Obligatory than the other) doth not impoſe that neceſſity upon us; as hath been already ſhewn.

2. Beſides, Arguments drawn from Scandal in things neither unlawful nor (ſetting the reaſon of Scandal aſide) inexpedient, as they are ſubject to ſundry frailties otherwiſe, ſo they are manifeſtly of no weight at all, when they are counterpois'd with the apparent danger of

of evil conſequents on the other ſide. For in ſuch caſes there is commonly equal danger (if not rather ſomething more) of Scandal to be taken from the Example the quite contrary way. We may ſee it in debating the point now in hand: It is alledged on the one ſide, That by laying aſide the uſe of the Common Prayer, men that are over ſcrupulous will be encourag'd to take a greater liberty in diſpenſing with the Laws (to the deſpiſing both of Laws and Governours) than they ought. And why may it not, by the ſame reaſon, be as well alledg'd on the other ſide, That by holding up a neceſſity of uſing the Common Prayer, men that have tender Conſciences may be induc'd to entertain ſcruples (to their utter undoing, and to the deſtruction of their people) when they need not?

3. But that in the third place, which cometh up home to the buſineſs, and taketh off the Objection clearly, is this, That in judging Caſes

ſes of Scandal, we are not ſo much to look to the event, what it is, or may be, as to the cauſe, whence it cometh. For ſometimes there is given juſt cauſe of Scandal; and yet no Scandal ſolloweth, becauſe it is not taken: Sometimes ſcandal is taken, and yet no juſt cauſe given: and ſometimes there is both cauſe of Scandal given, and Scandal taken thereat. But no man is concern'd at any Scandal that happeneth to another by occaſion of any thing done by him, neither is chargeable with it farther than he is guilty of having given it. If then we give Scandal to others, and they take it not, the whole guilt is ours, and they are faultleſs. If we give it, and they take it, we are to bear a ſhare in the blame as they, and that a deep ſhare; (*Væ homini, Wo to the man by whome the offence cometh, Matth.* 18.7.) But if they take offence when we give none, it is a thing we cannot help, and therefore the whole blame muſt lie upon them.

Where-

Wherefore, if at any time any doubt ſhall ariſe in that Caſe of Scandal, How far forth the danger thereof may oblige us to the doing or not doing of any thing propos'd; The Reſolution will come on much the eaſier, if we ſhall but rightly underſtand what it is to give Scandal, or how many ways a man may become guilty of ſcandalizing another by his Example.

The ways (as I conceive) are but theſe four.

1. When a man doth ſomething before another, which is in it ſelf evil, unlawful, and ſinful. In which caſe, neither the intention of him that doth it, nor the event as to him that ſeeth it done, is of any conſideration: For it matters not whether the doer hath an intention to draw the other into ſin, or not; the very matter and ſubſtance of the action being evil, and done before others, is ſufficient to render the doer guilty of having given Scandal, though neither he had intention himſelf ſo

to

to do, nor was any other perſon actually ſcandaliz'd thereby: becauſe whatſoever is in its own nature evil, is of it ſelf, and in its own nature ſcandalous, and of ill Example.

Thus did *Hophni* and *Phineas*, the Sons of *Eli*, give Scandal by their wretched prophaneneſs and greedineſs about the Sacrifices of the Lord, and their ſhameleſs abuſing the Women. And ſo did *David* alſo give great Scandal in the matter of *Uriah*, 2 *Sam.* 12. 14. Here the Rule is,

1 Sam. 2. 17. 22.

Do nothing that is evil, for fear of giving Scandal.

2. The ſecond way is, when a man doth ſomething before another with a direct intention and formal purpoſe of drawing him thereby to commit ſin. In which caſe neither the matter of the action, nor the event is of any conſideration: For it makes no difference as to the ſin of giving Scandal, whether any man be effectually entic'd to commit ſin or not thereby; neither doth it make any

any difference, whether the thing done were in it ſelf unlawful, or not, ſo as it had an appearance of evil, and from thence an aptitude to draw another by the doing of that (by imitation) which ſhould be really and intrinſecally evil. The wicked intention alone (whatſoever the effect ſhould be, or what means ſoever ſhould be us'd to promote it) ſufficeth to induce the guilt of giving Scandal upon the doer. This was *Jeroboam*'s ſin, in ſetting up the Calves, with a formal purpoſe and intention thereby (for his own ſecular and ambitious ends) to corrupt the purity of Religion, and to draw the people unto Idolatrous Worſhip. For which cauſe he is ſo often ſtigmatiz'd with it, as a note of Infamy, to ſtick by him whilſt the World laſteth, being ſcarce ever mention'd in the Scripture, but with this addition, Jeroboam *the ſon of* Nebat, *which made* Iſrael *to ſin*. Here the Rule is,

Do nothing, good or evil, with an intention to give Scandal.

3. The third way is when a man doth ſomething before another, which in it ſelf is not evil, but indifferent, and ſo according to the Rule of Chriſtian Liberty, lawful for him to do, or not to do, as he ſhall ſee cauſe (yea, and perhaps otherwiſe commodious and convenient for him to do) yet whereas he probably foreſeeth that others will take Scandal, and be occaſioned thereby to do evil. In ſuch a caſe, if the thing to be done be not in ſome degree prudentially neceſſary for him to do, but that he might, without very great inconvenience or prejudice to himſelf or any third perſon, leave it undone: He is bound in Charity to his Brother's Soul (for whom Chriſt died) and for the avoiding of Scandal, to abridge himſelf in the exerciſe of his Chriſtian Liberty for that time, ſo far as rather to ſuffer ſome inconvenience himſelf by the not doing of it, than by the doing of it to cauſe his Brother to offend. The very Caſe which is ſo often, ſo largely, and ſo earneſtly in-

inſiſted upon by St. *Paul.* See *Rom.* 14.13,21. *Rom.*15.1,3. 1 *Cor.*8.7,13. 1 *Cor.*9.12,15,19,22. 1 *Cor.*10.23.33. Here the Rule is,

Do nothing that may be reaſonably forborn, whereat Scandal will be taken.

4. The laſt way is, when a man doth ſomthing before another, which is not only lawful, but (according to the exigencies of preſent Circumſtances) *pro hic & nunc* very behoofful, and even prudentially neceſſary for him to do, but foreſeeth that the other will be like to make an ill uſe of it, and take encouragement thereby to commit ſin, if he be not withal careful, as much as poſſibly in him lieth, to prevent the Scandal that may be taken thereat: For, *Qui non prohibet peccare, cum poteſt, jubet.* In ſuch caſe the bare neglect of his Brother, and not uſing his utmoſt endeavour to prevent the evil that might enſue, maketh him guilty. Upon which conſideration ſtandeth the Equity of the Judicial Law

Exod. 21. 33, 34. given to the Jews, which ordered, That in caſe a man dig a Pit for the uſe of his Family, and looking no farther than his own convenience, put no cover upon it, and leave it open, whereby it hapneth his Neighbours Beaſt to fall thereinto and periſh, the owner of the Pit is to make it good, inaſmuch as he was the occaſioner of that loſs to his Neighbour, which he might and ought to have prevented. Here the Rule is

Order the doing of that, which may not be well left undone, in ſuch ſort that no Scandal (ſo far as you can help it) may be taken thereat.

To apply this. The thing under debate, *viz.* the Action propos'd to preſent enquiry is, The laying aſide the Common Prayer, being enjoyn'd by Law, and uſing inſtead thereof ſome other Form of Church Service of our own deviſing. And the Enquiry concerning it is, Whether it may be done with a good Conſcience in

in regard of the Scandal that is given, or at leaſt may be taken thereat, Yea or No?

Now foraſmuch as in this Enquiry we take it for granted, That the thing to be done is not in its own nature ſimply evil, but rather in this ſtate of affairs prudentially neceſſary; and that they who make ſcruple at it upon the point of Scandal, have not the leaſt intention of drawing other of the Laws into contempt, or their Brethren into ſin by their Example. It is manifeſt that three of the now mention'd Caſes, with the Rules to each of them appending, are not pertinent to the preſent Enquiry. But ſince the laſt of the four only proveth to be our Caſe, we have therefore no more to do for the ſetling of our Judgments, and quieting of our Conſciences, and the regulating of our Practice in this Affair, than to conſider well what the Rule in this Caſe given obligeth us unto; which is not to leave the Action undone for the danger of Scandal,

which (beſides the Inconveniencies formerly mention'd) would but ſtart new Queſtions, and thoſe beget more to the multiplying unneceſſary Scruples *in infinitum*: But to order the doing of it ſo, that (if it were poſſible) no Scandal at all might enſue thereupon, or at leaſtwiſe not by our default, through our careleſs or undiſcreet managery thereof. Even as the Jew that ſtood in need to ſink a Pit for the ſervice of his Houſe or Ground, was not (for fear his Neighbours Beaſt ſhould fall into it, and be drown'd) bound by the Law to forbear the making of it, but only to provide a ſufficient cover for it, where he had made it. The thing then in this Caſe is not to be left undone, when it ſo much behoveth us to do it; but the Action to be carried on (for the manner of doing, and in all reſpects and circumſtances thereunto belonging) with ſo much charineſs and tenderneſs, moderation and wiſdom (to our beſt underſtanding) that the neceſſity of our ſo doing, with the true cauſe

cauſe thereof, may appear to the World, to the ſatisfaction of thoſe that are willing to take notice of it; and that ſuch perſons as would be willing to make uſe of our Enſample to do the ſame thing, where there is not the ſame neceſſity, may do it upon their own ſcore, and not be able to vouch our practice for their excuſe; which how it may be beſt done for particular directions, every charitable and conſcientious man muſt ask his own diſcretion. Some general helps thereunto I ſhall lay down in anſwering the next Objection, where they would fall in again not improperly, and ſo ſtop two Gaps with one Buſh.

The laſt Objection is that of Shiſm. The Objectors hold all ſuch perſons as have oppos'd either Liturgy or Church Government, as they were by Law eſtabliſh'd within this Realm, for no better than Schiſmaticks; and truly I ſhall not much gain-ſay it. But then they argue, *That for them to do the* Object. 3. Schiſm.

ſame thing in the publick worſhip of God that Schiſmaticks do (and for doing whereof eſpecially it is that they avow them Schiſmaticks) would (as they conceive) involve them in the Schiſm alſo, as partakers thereof in ſome degree with the other: And their Conſciences alſo would, from Rom. 14.22. *condemn them either of hypocriſie, in allowing that in themſelves, and in their own practice, which they condemn in others; or of uncharitableneſs, in judging others as Schiſmaticks for doing but the ſame thing which they can allow themſelves to practiſe. For all that ſuch perſons, as they call Schiſmaticks, do in this matter of the Church Service, is but to leave out the Churches Prayers, and to put in their own. Or ſay, this ſhould not make them really guilty of the Schiſm they ſo much deteſt, yet would ſuch their ſymbolizing with them ſeem at leaſt a kind of unworthy compliance with them, more than could well become the ſimplicity of a Chriſtian,*

ſtian, much leſs of a Miniſter of the Goſpel, whoſe duty it is to ſhun even the leaſt appearance of evil. *Beſides, that by ſo doing they ſhould but confirm ſuch men in their Schiſmatical Principles and Practice.* 1 Theſſ. 5.

This Objection hath 3 Branches. To the firſt whereof I oppoſe the old ſaying, *Duo cum faciunt idem, non eſt idem*; which, although ſpoken quite to another purpoſe, yet is very capable of ſuch a ſenſe which will very well fit our preſent purpoſe alſo.

I Anſwer therefore in ſhort. To do the ſame thing that Schiſmaticks do (eſpecially in times of Confuſion, and till things can be reduc'd unto better Order, and when men are neceſſitated thereunto to prevent greater miſchiefs) doth not neceſſarily infer a partaking with them in Schiſm, no, nor ſo much as probably, unleſs it may appear upon probable preſumption otherwiſe, that it is done out of the ſame Schiſmatical

cal Spirit, and upon ſuch Schiſmatical Principles as theirs are.

The other two Branches (*viz.* That of ſeeming compliance with Schiſmaticks, and That of the ill uſe they make of it to confirm them in their Schiſm) do upon the matter fall in upon the aforeſaid point of Scandal, and are in effect but the ſame Objection, only put into a new dreſs, and ſo have receiv'd their Anſwer already. And the only remedy againſt both theſe Fears (as well that of Scandal, as this of Schiſm) is the ſame which was there preſcrib'd, Even to give aſſurance to all men, by our carriage and behaviour therein, that we do not lay aſide Common Prayer of our own accord, or out of any diſlike thereof, neither in contempt of our rightful Governours, or of the Laws, nor out of any baſe compliance with the Times, or unworthy Secular own ends, nor out of any Schiſmatical principles, ſeditious deſigns, or innovating humour; but meerly enforc'd thereunto

to by ſuch a neceſſity, as we cannot otherwiſe avoid in order to the Glory of God, and the Publick Good, for the preſervation of our Families, our Flocks, and our Functions: And that with the good leave and allowance (as we have great reaſon to believe) of ſuch as have power to diſpenſe with us and the Laws in that behalf.

This if we ſhall do *bonâ fide*, and with our utmoſt endeavours, in ſingleneſs of heart, and with godly diſcretion, perhaps it will not be enough to prevail with either the cenſure of inconſiderate and inconſiderable perſons, or the ill uſe that may be made of our Example, through the ignorance or negligence of ſome (*ſcandalum puſillorum*) or through the perverſneſs and malice of others (*ſcandalum phariſæorum*) as the Schools term them: But aſſuredly it will be ſufficient in the ſight of God, and the witneſs of our own hearts, and to the Conſciences of charitable and conſidering men,

to

to acquit us clear of all guilt, either of Scandal or Schiſm in the leaſt degree. Which we may probably do by obſerving theſe enſuing, or ſuch other like general Directions (The liberty of uſing ſuch meet accommodations, as the circumſtances in particular Caſes ſhall require, evermore allowed and reſerved). *viz.*

1. If we ſhall decline the company and ſociety of known Schiſmaticks, not converſing frequently or familiarly with them, or more than the neceſſary affairs of life, and the rules of Neighbourhood and common civility will require; eſpecially not to give countenance unto their Church Aſſemblies, by our preſence among them, if we can avoid it.

2. If we ſhall retain, as well in common diſcourſe, as in our Sermons and holy Offices of the Church, the old Theological and Eccleſiaſtical terms and forms of Speech, which have been generally received and uſed in the Churches of Chriſt, which the people are well acquaint-

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ed with, and are wholſome and ſignificant, and not follow our new Maſters in that uncouth affected garb of Speech, or Canting Language rather (if I may ſo call it) which they have of late taken up, as the ſignal diſtinction and characteriſtical note of that, which in that their new Language they call The Godly Party, or Communion of Saints.

3. If in officiating we repeat not only the Lord's Prayer, the Creed, the ten Commandements, and ſuch other paſſages in the Common Prayer Book, as (being the very words of Scripture) no man can except againſt; but ſo much of the old Liturgy beſides, in the very words and ſyllables of the Book, as we think the Miniſters of State in thoſe parts wherein we live will ſuffer, and the Auditory, before whom we officiate, will bear; ſith the Officers in all parts of the Land are not alike ſtrict, nor the people in all Pariſhes alike diſaffected in this reſpect.

4. If, where we muſt of neceſſity vary

vary from the words, we yet follow the Order of the Book in the main parts of the holy Offices, retaining the ſubſtance of the Prayers, and embelliſhing thoſe of our own making, which we ſubſtitute into the place of thoſe we leave out, with phraſes and paſſages taken out of the Book in other places.

5. If, where we cannot ſafely mention the Particulars mentioned in the Book (as namely in praying for the King, the Queen, the Royal Progeny, and the Biſhops) we ſhall yet uſe in our Prayers ſome ſuch general terms, and other intimations deviſed for that purpoſe, as may ſufficiently convey to the underſtanding of the people what our intentions are therein, and yet not be ſufficient to fetch us within the compaſs of the Ordinance.

6. If we ſhall in our Sermons take occaſion now and then, where it may be pertinent, either to diſcover the weakneſs of the Puritan Principles and Tenets to the people; or to ſhew

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out of ſome paſſages and expreſſions in the Common Prayer, the conſonancy of thoſe Obſervations we have raiſed from the Text, with the Judgment of the Church of *England*: or to juſtifie ſuch particular paſſages in the Letany, Collects, and other parts of our Liturgy as have been unjuſtly quarell'd at by Preſbyterians, Independents, Anabaptiſts, or other (by what Name or Title ſoever they are called) Puritan Sectaries.

Thus have I freely acquainted you both with my practice and judgment in the Point propos'd in your Friend's Letter. How I ſhall be able to ſatisfie his or your judgment in what I have written, I know not; however, I have ſatisfied both your deſire and his in writing, and ſhall reſt

Your Brother and
Servant in the
Lord,
Rob. Sanderſon.